

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	03-5269/CIP
First Inventor	Thomas R. Briscoe, et al.
Title	Pressure Vent Hurricane S
Express Mail Label No.	EU610601496US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 30]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 8]
5. Oath or Declaration [Total Sheets       ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76
7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney  
(when there is an assignee)
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation       Divisional       Continuation-in-part (CIP)      of prior application No.: 09/966622.....

Prior application information: Examiner David M. Purol Art Unit: 3634  
 For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.  
 The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**
 Customer Number: \_\_\_\_\_ OR  Correspondence address below

Name	Edward M. Livingston, P.A.		
Address	963 Trail Terrace Drive		
City	State	Zip Code	Telephone
Country	F1	34103	Fax

Name (Print/Type)	Edward M. Livingston	Registration No. (Attorney/Agent)	28,523
Signature			
	Date	8/25/03	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

22389 U.S. PTO  
10/647673

08/25/03

# FEE TRANSMITTAL

## for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 438.00)

## Complete if Known

Application Number	09/966,622 filed on 10/01/2001
Filing Date	
First Named Inventor	Thomas R. Briscoe et al.
Examiner Name	David M. Purol
Art Unit	3634
Attorney Docket No.	03-5269

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number   
 Deposit Account Name

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee		375.00	
1002 330	2002 165	Design filing fee			
1003 520	2003 260	Plant filing fee			
1004 750	2004 375	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1) (\$ 375.00)					

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
27	3		-20** = 7	X 9 = 63	
			- 3** = 0	X 0 = 0	
				0	0

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 63.00)		

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Edward M. Livingston	Registration No. (Attorney/Agent)	28,523	Telephone	239-262-8502
Signature				Date	8/25/03

WARNING: Information in this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

LAW OFFICES  
**JOHNSON & LIVINGSTON**  
PATENTS, TRADEMARKS, COPYRIGHTS  
& BUSINESS LAW  
963 TRAIL TERRACE DRIVE  
NAPLES, FLORIDA 34103

MERRILL N. JOHNSON, ESQ.  
EDWARD M. LIVINGSTON, P.A.

OFFICE: 239-262-8502  
800-548-4332  
FAX: 239-261-3773

August 25, 2003

Re: Applicant: Thomas R. Briscoe and Harley E. Briscoe  
Application No.: 09/966,622  
Filing Date: 10/15/2002  
Examining Attorney: David M. Purol  
Art Unit: 3634  
Atty. Doc. No.: 03-5269

EU 610601496 US

Dear Sir:

With regard to the above captioned matter, please find enclosed herewith the following:

1. Utility Patent Application Transmittal;
2. Continuation-In-Part Application;
3. Combined Declaration and Power of Attorney;
4. True and correct copy of original patent application and drawings;
5. Fee Transmittal Form; and
6. A check in the sum of \$438.00 to cover the filing fees for the above.

Please stamp the enclosed postcard acknowledging receipt of the above and return it to our office.

Should you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,



Edward M. Livingston  
Pat. Atty. Reg. No. 28,523

EML:amv

Enclosures: Listed above  
Postcard

pc: Applicant (w/ encs.)

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
UNDER 37 C.F.R. 1.10

I HEREBY CERTIFY that this letter of transmittal and documents described therein are being deposited with the United States Postal Service by "Express Mail Post Office to Addressee" service, U.S. Express Mail No. EU610601496US, on the 25 day of August, 2003, addressed to Mail Stop CIP, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Legal Assistant



**UNITED STATES COMMISSIONER OF PATENTS AND TRADEMARKS**

IN RE: Application of : Thomas R. Briscoe and Harley E. Briscoe  
CIP of App. No. : 09/966,622 filed on 10/01/2001  
For : Pressure Vent Hurricane Shutters  
Atty. Doc. No. : 02-5260/CIP

Examiner: David M. Purol

Art Unit: 3634

BOX CIP  
COMMISSIONER OF PATENTS AND TRADEMARKS  
WASHINGTON, DC 20231

**CONTINUATION-IN-PART APPLICATION (CIP)**

Dear Sir:

This is a request for filing a Continuation-in-Part Application under 37 CFR 1.60, for prior application Serial No.: 09/966,622, filed on October 1, 2001, entitled "PRESSURE VENT HURRICANE SHUTTERS," as amended by the following named inventors:

THOMAS R. BRISCOE  
2841 Shoreview Drive  
Naples, Florida 34112

HARLEY E. BRISCOE  
2841 Shoreview Drive  
Naples, Florida 34112

Citizenship: United States of America

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination proceedings has occurred. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

Applicant further states:

1. A Preliminary Amendment Accompanying Continuation-in-Part (CIP) is being filed simultaneously herewith and is attached to this CIP and incorporated herein by reference.

2. The filing fee accompanying this application is calculated as follows:

Basic Fee	\$375.00
Additional fees:	
Total no. of claims in excess of 20, @ \$9.00/each: (7)	63.00
Number of Independent claims in excess of 3, @ \$42.00/each: (0)	0.00
Multiple Dependent claims @ \$140.00/each: (0)	<u>0.00</u>
TOTAL FILING FEE	\$438.00

A check in the amount of \$438.00 is enclosed to cover the above filing fee.

3. Please amend the specification by inserting before the first paragraph the following:

#### CROSS-REFERENCE TO RELATED APPLICATION

This is a continuation of application number 09/966,622, filed October 1, 2001, now abandoned.

4. The Statement Claiming Small Entity Status is still applicable.

5. Another "Combined Declaration and Power of Attorney" for this continuation-in-part application is enclosed and the power of attorney remains the same as in the prior application granted to Edward M. Livingston, Esq., Patent

Attorney Reg. No. 28,523 and further includes Angela M. Villanueva, No. 53,724.

Please address all future communications to:

Edward M. Livingston, P.A.  
963 Trail Terrace Drive  
Naples, FL 34103

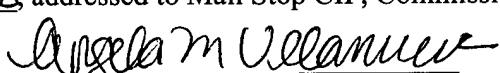
Respectfully submitted,  
Thomas R. Briscoe, Applicant  
Harley E. Briscoe, Applicant

By:   
Edward M. Livingston, Esq.  
Edward M. Livingston, P.A.  
963 Trail Terrace Drive  
Naples, FL 34103  
(239) 262-8502

Attorney for Inventor/Applicant  
Patent Attorney Reg. No.: 28,523

**CERTIFICATE OF MAILING by "EXPRESS MAIL" UNDER 37 CFR 1.10**

I HEREBY CERTIFY that the above Continuation-in-Part Application is being deposited with the United States Postal Service by "Express Mail Post Office to Addressee" service, U.S. Express Mail No. EU61060496115 on the 25 day of August, 2003, addressed to Mail Stop CIP, Commissioner of Patents P.O. Box 1450, Alexandria, VA 22313-1450.

  
Legal Assistant